

## CHAPTER 285

## MOVEMENT OF OVERSIZED VEHICLES

S. F. 681

AN ACT relating to the issuance of permits for the movement of vehicles and loads of excess size and weight.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Sections three hundred twenty-one point four hundred  
2 sixty-seven (321.467) through three hundred twenty-one point four  
3 hundred seventy (321.470), Code 1966, are hereby repealed and the  
4 following enacted in lieu thereof.

1 SEC. 2. The state highway commission and local authorities may  
2 in their discretion and upon application and with good cause being  
3 shown therefor issue permits for the movement of vehicles with indi-  
4 visible loads carried thereon which exceed the maximum dimensions  
5 and weights specified in sections three hundred twenty-one point four  
6 hundred fifty-two (321.452) through three hundred twenty-one point  
7 four hundred sixty-six (321.466) of the Code, but not to exceed the  
8 limitations imposed in sections two (2) through sixteen (16) of this  
9 Act. Permits so issued may be single trip permits or annual permits.  
10 All permits shall be in writing and shall be carried in the cab of the  
11 vehicle for which the permit has been issued and shall be available for  
12 inspection at all times. The vehicle and load for which the permit has  
13 been issued shall be open to inspection by any peace officer or to any  
14 authorized agent of any permit granting authority. When in the judg-  
15 ment of the issuing local authority in cities, towns, and counties the  
16 movement of a vehicle with an indivisible load which exceeds the maxi-  
17 mum dimensions and weights will be unduly hazardous to public safety  
18 or will cause undue damage to streets, avenues, boulevards, thorough-  
19 fares, highways, curbs, sidewalks, trees, or other public or private  
20 property, the permit shall be denied and the reasons therefor endorsed  
21 upon the application.

1 SEC. 3. Annual permits and single trip permits shall be issued by  
2 the authority responsible for the maintenance of such system of high-  
3 ways or streets except that the commission shall have authority to  
4 issue single trip permits on primary road extensions in cities and  
5 towns in conjunction with movements on the rural primary road sys-  
6 tem.

1 SEC. 4. All movements of mobile homes and other vehicles the  
2 width of which, including any load, exceeds the roadway lane width  
3 of the highway or street being traversed, shall be under escort. Per-  
4 mits for the movement of indivisible loads exceeding twelve (12) feet  
5 five (5) inches in width or mobile homes of widths including appurte-  
6 nances exceeding twelve (12) feet five (5) inches shall be restricted  
7 to maximum trip distances in accordance with the following schedule:

| 8 SCHEDULE OF OVER-WIDTH MOVEMENT DISTANCES FOR PAVEMENT WIDTHS     |             |                 |             |                 |
|---|-------------|-----------------|-------------|-----------------|
| 9 OF 24 FEET OR MORE WITH TRAFFIC OF 4,000 OR MORE VEHICLES PER DAY |             |                 |             |                 |
| 10  | Load        | Distance        | Load        | Distance        |
| 11  | Width (ft.) | (Miles)         | Width (ft.) | (Miles)         |
| 12  | 13          | 50              | 27          | 3 $\frac{3}{4}$ |
| 13  | 14          | 50              | 28          | 3 $\frac{1}{2}$ |
| 14  | 15          | 41              | 29          | 3 $\frac{1}{4}$ |
| 15  | 16          | 32              | 30          | 3               |
| 16  | 17          | 23              | 31          | 2 $\frac{3}{4}$ |
| 17  | 18          | 15              | 32          | 2 $\frac{1}{2}$ |
| 18  | 19          | 10              | 33          | 2 $\frac{1}{4}$ |
| 19  | 20          | 8               | 34          | 2               |
| 20  | 21          | 7               | 35          | 1 $\frac{3}{4}$ |
| 21  | 22          | 6 $\frac{1}{4}$ | 36          | 1 $\frac{1}{2}$ |
| 22  | 23          | 5 $\frac{1}{2}$ | 37          | 1 $\frac{1}{4}$ |
| 23  | 24          | 5               | 38          | 1               |
| 24  | 25          | 4 $\frac{1}{2}$ | 39          | $\frac{3}{4}$   |
| 25  | 26          | 4               | 40          | $\frac{1}{2}$   |
| 26  |             |                 | Over 40     | Not allowed     |

1 SEC. 5. The following adjustments to the schedule under section  
 2 four (4) of this Act shall be made for paved surface widths and traffic  
 3 volumes to arrive at the effective load width used in determining the  
 4 distance which shall be allowed:

5 1. For each foot of surface width less than twenty-four (24) feet,  
 6 two (2) feet shall be added to the actual load width to determine the  
 7 effective load width.

8 2. For traffic volumes under four thousand (4,000) vehicles per day  
 9 the effective load width shall be determined by subtracting from the  
 10 actual load width at the rate of two (2) feet for each one thousand  
 11 (1,000) vehicles per day less than four thousand (4,000) vehicles per  
 12 day.

1 SEC. 6. The following adjustments to the schedule under section  
 2 four (4) of this Act shall be made for gravel surface widths and traffic  
 3 volumes to arrive at the effective load width used in determining the  
 4 distance which shall be allowed:

5 1. For each foot of roadway width more than twenty-four (24)  
 6 feet, two (2) feet shall be subtracted from the actual load width to  
 7 determine the effective load width.

8 2. For traffic volumes under four thousand (4,000) vehicles per day  
 9 the effective load width shall be determined by subtracting from the  
 10 actual load width at the rate of two (2) feet for each one thousand  
 11 (1,000) vehicles per day less than four thousand (4,000) vehicles per  
 12 day.

1 SEC. 7. A movement of an indivisible load over a highway or high-  
 2 ways having sections carrying varying volumes of traffic and having  
 3 varying surface widths shall be computed for the total distance on the  
 4 lowest volume of traffic or the greatest highway width whichever pro-  
 5 duces the greatest distance by the preceding schedule. No part of the  
 6 movement based on traffic volume and surface width shall exceed the  
 7 distance established by the specific traffic volume and surface width  
 8 for that section.

1 SEC. 8. The gross weight on any axle of any vehicle or combina-  
2 tion of vehicles traveling under a permit issued in accordance with the  
3 provisions of this Act shall not exceed the maximum axle load pre-  
4 scribed in section three hundred twenty-one point four hundred sixty-  
5 three (321.463) of the Code; except that, a manufacturer of machin-  
6 ery or equipment manufactured or assembled in Iowa may be granted  
7 a permit for the movement of such machinery or equipment mounted  
8 on pneumatic tires with axle loads exceeding the maximum axle load  
9 prescribed in section three hundred twenty-one point four hundred  
10 sixty-three (321.463) of the Code for distances not to exceed twenty-  
11 five (25) miles at a speed not greater than twenty (20) miles per hour.  
12 The movement of such machinery or equipment shall be over a speci-  
13 fied route between the place of assembly or manufacture and a storage  
14 area, shipping point, proving ground, experimental area, weighing  
15 station, or another manufacturing plant.

1 SEC. 9. Except as provided under section four (4) of this Act and  
2 subject to the discretion and judgment provided for in section [two]\*  
3 2 of this Act, annual permits shall be issued in accordance with the  
4 following provisions:

5 1. Vehicles with indivisible loads having an overall width not to  
6 exceed twelve (12) feet five (5) inches or mobile homes including  
7 appurtenances not to exceed twelve (12) feet five (5) inches and an  
8 overall length not to exceed seventy (70) feet zero (0) inches may be  
9 moved for unlimited distances. The vehicle and load shall not exceed  
10 the height as prescribed in section three hundred twenty-one point  
11 four hundred fifty-six (321.456) of the Code and the total gross  
12 weight as prescribed in section three hundred twenty-one point four  
13 hundred sixty-three (321.463) of the Code.

14 2. Vehicles with indivisible loads having an overall width not to  
15 exceed fourteen (14) feet zero (0) inches and an overall length not to  
16 exceed eighty (80) feet zero (0) inches shall be restricted to trip dis-  
17 tances not to exceed fifty (50) highway and street miles in total ag-  
18 gregate. The vehicle and load shall not exceed the height as prescribed  
19 in section three hundred twenty-one point four hundred fifty-six  
20 (321.456) of the Code and the total gross weight as prescribed in  
21 section three hundred twenty-one point four hundred sixty-three  
22 (321.463) of the Code.

23 3. Vehicles with indivisible loads having an overall length not to  
24 exceed one hundred (100) feet zero (0) inches shall be restricted to  
25 trip distances not to exceed fifty (50) highway and street miles in  
26 total aggregate. The vehicle and load shall not exceed the width as  
27 prescribed in section three hundred twenty-one point four hundred  
28 fifty-four (321.454) of the Code, the height as prescribed in section  
29 three hundred twenty-one point four hundred fifty-six (321.456) of  
30 the Code, and the total gross weight as prescribed in section three hun-  
31 dred twenty-one point four hundred sixty-three (321.463) of the Code.

1 SEC. 10. Except as provided in section four (4) of this Act and  
2 subject to the discretion and judgment provided for in section [two]\*  
3 2 of this Act, single trip permits shall be issued in accordance with  
4 the following provisions:

\*Word supplied by editor, §3.1(3) of the Code.

5 1. Vehicles with indivisible loads having an overall width not to  
6 exceed twelve (12) feet five (5) inches or mobile homes including  
7 appurtenances not to exceed twelve (12) feet five (5) inches and an  
8 overall length not to exceed eighty (80) feet zero (0) inches may be  
9 moved for unlimited distances. No mobile home may be moved under  
10 the provisions of this subsection if the actual mobile home unit exceeds  
11 sixty-eight (68) feet in length. No unit moved under the provisions of  
12 this subsection shall exceed the height as prescribed in section three  
13 hundred twenty-one point four hundred fifty-six (321.456) of the  
14 Code and the total gross weight as prescribed in section three hundred  
15 twenty-one point four hundred sixty-three (321.463) of the Code.

16 2. Vehicles with indivisible loads having an overall width not to  
17 exceed twelve (12) feet zero (0) inches, an overall length not to ex-  
18 ceed eighty (80) feet zero (0) inches, and a total gross weight not to  
19 exceed seventy-five thousand (75,000) pounds may be moved for un-  
20 limited distances over specified routes. The height of such vehicle and  
21 load shall be limited only to the height limitations of underpasses,  
22 bridges, power lines, and other established height restrictions on the  
23 specified route.

24 3. Vehicles with indivisible loads having an overall width not to  
25 exceed twelve (12) feet zero (0) inches, an overall length not to ex-  
26 ceed eighty (80) feet zero (0) inches, and a total gross weight not to  
27 exceed ninety thousand (90,000) pounds may be moved for unlimited  
28 distances over specified routes when accompanied by a civilian escort  
29 approved by the issuing authority. The height of such vehicle and  
30 load shall be limited only to the height limitations of underpasses,  
31 bridges, power lines, and other established height restrictions on the  
32 specified route. An official escort may be provided for such movement  
33 at the option of the permit holder.

34 4. Vehicles with indivisible loads of widths exceeding twelve (12)  
35 feet zero (0) inches, lengths not to exceed one hundred twenty (120)  
36 feet zero (0) inches, and total gross weights including both vehicle  
37 and load not to exceed ninety thousand (90,000) pounds shall be  
38 moved according to the schedule established in section four (4) of  
39 this Act when accompanied by an official escort approved by the issu-  
40 ing authority. The height of such vehicle and load shall be limited  
41 only to the height limitations of underpasses, bridges, power lines, or  
42 other established height restrictions on the specified route.

43 5. Vehicles especially designed for the exclusive movement of grain  
44 bins or vehicles with indivisible loads having an overall length not to  
45 exceed one hundred twenty (120) feet zero (0) inches may be moved  
46 for unlimited distances over specified routes when accompanied by a  
47 civilian escort approved by the issuing authority. The vehicle and  
48 load shall not exceed the width as prescribed in section three hundred  
49 twenty-one point four hundred fifty-four (321.454), the height as  
50 prescribed in section three hundred twenty-one point four hundred  
51 fifty-six (321.456), and the total gross weight as prescribed in section  
52 three hundred twenty-one point four hundred sixty-three (321.463)  
53 of the Code. An official escort may be provided for such movement at  
54 the option of the permit holder.

55 6. Vehicles with indivisible loads exceeding a total gross weight of  
56 ninety thousand (90,000) pounds may be moved in special or emer-  
57 gency situations provided the gross weight on any axle shall not ex-

58 ceed the maximum prescribed in section three hundred twenty-one  
59 point four hundred sixty-three (321.463) of the Code. The issuing  
60 authority may impose any special restrictions deemed necessary on  
61 movements by permit under this subsection.

1 SEC. 11. The state highway commission or local authorities may in  
2 their discretion and upon application issue annual trip permits for the  
3 movement of truck trailers manufactured or assembled in this state  
4 that exceed the maximum length specified in section three hundred  
5 twenty-one point four hundred fifty-seven (321.457) of the Code.  
6 Movement of such truck trailers shall be solely for the purpose of  
7 delivery from the point of manufacture or assembly to a point outside  
8 the state, shall be only on roadways of twenty-four (24) feet or more  
9 in width or on four-lane highways, shall be on the most direct route  
10 necessary for delivery, and shall display the special plates designated  
11 in section three hundred twenty-one point fifty-seven (321.57) of the  
12 Code. All truck trailers under permit for delivery shall contain no  
13 freight or additional load. All truck trailers under permit for delivery  
14 shall be at a speed not to exceed forty-five (45) miles an hour or the  
15 established speed limit whichever is lower. No vehicle or combination  
16 of two (2) or more vehicles inclusive of front and rear bumpers, in-  
17 cluding towing units, involved in the delivery of truck trailers shall  
18 exceed sixty-five (65) feet in length. All such vehicles or combinations  
19 shall be distinctly marked on both the front and rear of the unit in  
20 such manner as the commissioner of public safety shall designate to  
21 indicate that the vehicles or combinations are being moved for de-  
22 livery purposes only.

23 Permits issued under the provisions of this section shall be in writ-  
24 ing and shall be carried in the cabs of the vehicles for which the per-  
25 mits have been issued and shall be available for inspection at all times.  
26 The vehicles for which the permits have been issued shall be open to  
27 inspection by any peace officer or to any authorized agent of any per-  
28 mit granting authority.

1 SEC. 12. Movements by permit in accordance with this Act shall  
2 be permitted only during daylight hours unless it is established by the  
3 issuing authority that the movement can be better accomplished at  
4 another period of time because of traffic volume conditions.

5 Except as provided in section three hundred twenty-one point four  
6 hundred fifty-seven (321.457) of the Code, no movement of over-  
7 dimension vehicles shall be permitted on Saturday, Sunday, holidays,  
8 or days preceding and following holidays, or special events when ab-  
9 normally high traffic volumes can be expected.

1 SEC. 13. Any vehicle traveling under permit shall be properly reg-  
2 istered for the gross weight of the vehicle and load. The gross weight  
3 of any vehicle used to transport special mobile equipment registered  
4 and in compliance with section three hundred twenty-one point twenty-  
5 one (321.21) of the Code shall be the gross weight of the vehicle with-  
6 out load.

1 SEC. 14. Prior to the issuance of any permit, the applicant for a  
2 permit shall at the discretion of the issuing authority be required to  
3 file proof of financial responsibility or to post a bond not to exceed ten

4 thousand (10,000) dollars with the issuing authority. Such bonds  
5 shall be used as security for repair or replacement of official signs,  
6 signals, and roadway foundations, surfaces, or structures which may  
7 be damaged or destroyed during the movement of a vehicle and load  
8 operating under such permit.

1 SEC. 15. The commission or local authorities issuing such permits  
2 shall charge a fee of ten (10) dollars for an annual permit and a fee  
3 of five (5) dollars for a single trip permit. Fees for the movement of  
4 buildings, parts of buildings, or unusual vehicles or loads may be in-  
5 creased to cover the costs of inspections by the issuing authority. A  
6 fee not to exceed sixty (60) dollars per ten (10) hour day or prorated  
7 fraction thereof per man and car for escort service may be charged  
8 when requested or when required under this Act. Proration of escort  
9 fees between state and local authorities when more than one (1) gov-  
10 ernmental authority provides or is required to provide escort for a  
11 movement during the period of a day shall be determined by rule under  
12 section sixteen (16) of this Act. The commission and local authorities  
13 may charge any permit applicant for the cost of trimming trees and  
14 removal and replacement of natural obstructions or official signs and  
15 signals or other public or private property required to be removed  
16 during the movement of a vehicle and load.

1 SEC. 16. The commission may adopt and make available upon re-  
2 quest to interested parties printed rules and regulations necessary for  
3 the movement by permit of vehicles and indivisible loads under the  
4 provisions of this Act. No rule or regulation shall be adopted without  
5 prior notice to city, town, and county officials and without a hearing  
6 on the proposed rule or regulation. All rules and regulations adopted  
7 shall have due regard for the safety of the traveling public and the  
8 protection of the highway surfaces and structures. Rules and regula-  
9 tions for permit travel on the interstate system shall be consistent  
10 with the federal requirements for the system.

1 SEC. 17. Proof of violation of any provision of any permit issued  
2 under this Act shall render the entire permit null and void, and shall  
3 be punishable in accordance with section three hundred twenty-one  
4 point four hundred eighty-two (321.482) of the Code for violations of  
5 length, height, or width limitations and sections three hundred twenty-  
6 one point four hundred eighty-two (321.482) of the Code and three  
7 hundred twenty-one point four hundred sixty-three (321.463) of the  
8 Code for violation of weight limitations. If a vehicle with indivisible  
9 load traveling under permit is found to be in violation of weight  
10 limitations, the vehicle operator shall be allowed a reasonable amount  
11 of time to remove any ice, mud, snow, and other weight attributable to  
12 climatic conditions accumulated along the route prior to application of  
13 the penalties prescribed in sections three hundred twenty-one point  
14 four hundred sixty-three (321.463) and three hundred twenty-one  
15 point four hundred eighty-two (321.482) of the Code.

1 SEC. 18. Proof of imposition of penalties on five (5) or more oc-  
2 casions for violation of sections three hundred twenty-one point four  
3 hundred fifty-four (321.454), three hundred twenty-one point four  
4 hundred fifty-six (321.456), three hundred twenty-one point four hun-

5 dred fifty-seven (321.457), or three hundred twenty-one point four  
6 hundred sixty-three (321.463) of the Code or any combination of  
7 penalties for violation of said sections totaling five (5) or more in-  
8 curred during any twelve (12) month period with respect to the opera-  
9 tion of one (1) or more vehicles by any one (1) permit holder, whether  
10 operated personally or through agents, servants, or employees of the  
11 permit holder shall constitute prima facie evidence that the permit  
12 holder has willfully operated or caused to be operated a vehicle or  
13 vehicles in violation of this Act.

1 SEC. 19. In any proceeding brought under this Act, the issuing  
2 authority shall consider evidence relating to the character and gravity  
3 of the violations and the extent of the operations of any vehicles by or  
4 on behalf of the permit holder upon the public highways of this state,  
5 which did not involve any violations.

1 SEC. 20. Upon complaint by local authorities or on the commis-  
2 sion's own initiative and after notice and hearing before one (1) or  
3 more members of the permit issuing body, any permit issued under  
4 this Act may be suspended, changed, or revoked in whole or in part by  
5 the issuing authority for willful failure to comply with any provi-  
6 sions of this Act or with any rule or regulation adopted under author-  
7 ity of this Act or with any term, condition, or limitation of the permit.

1 SEC. 21. Whenever the issuing authority shall find from the evi-  
2 dence adduced at such hearing that a permit holder has willfully oper-  
3 ated or caused to be operated a vehicle or vehicles in violation of this  
4 Act, the authority may enter an order suspending, modifying, or re-  
5 voking the permit in whole or in part at its discretion for a period of  
6 not more than ninety (90) days. If the issuing authority finds in a  
7 subsequent proceeding within twelve (12) months from the date of  
8 the initial suspension, modification, or revocation that a permit holder  
9 has again willfully operated in violation of this Act, the issuing au-  
10 thority shall order suspension, modification, or revocation of the permit  
11 in whole or in part for a period not to exceed one (1) year.

1 SEC. 22. Any person using and operating a vehicle over the high-  
2 ways of this state who is a nonresident of this state or at the time a  
3 cause for hearing arises under this Act is a resident of the state but  
4 subsequently becomes a nonresident of this state, shall be deemed to  
5 have appointed the secretary of state of the state of Iowa to be the  
6 person's lawful attorney. Any legal processes in any proceeding  
7 brought against the person under this Act shall be served on the sec-  
8 retary of state. The use and operation by the person shall be signifi-  
9 cation of the person's agreement that any such process against him  
10 which is so served shall be of the same legal force and validity as  
11 though served upon him personally.

1 SEC. 23. Service of such process shall be made by serving a copy  
2 upon or filing a copy in the office of the secretary of state. The service  
3 shall be sufficient service upon the person if notice of the service and  
4 a copy of the process are within ten (10) days sent by registered mail  
5 by the attorney general to the permit holder at the last known address  
6 of said permit holder. An affidavit of compliance therewith of the  
7 attorney general or an assistant attorney general shall be appended to

8 the summons. The issuing authority may order such continuances as  
9 may be necessary to afford the permit holder reasonable opportunity  
10 to defend the action. The secretary of state shall keep a record of all  
11 such processes which shall show the day and hour of such service.

1 SEC. 24. When a final order is entered against any permit holder  
2 who did not receive notice of service and a copy of the process by reg-  
3 istered mail, the permit holder shall within six (6) months after the  
4 entry of the order appear before the issuing authority and file a veri-  
5 fied statement showing that he did not receive such notice of service  
6 and the copy of the process. The permit holder shall further show that  
7 he has a good and substantial defense to the action and may appear  
8 and answer the allegations made against him. Thereupon, the proceed-  
9 ings may be had as if the permit holder had appeared in due time and  
10 no order had been entered. If it appears at the hearing that the order  
11 ought not to have been entered, the order may be set aside, altered, or  
12 amended as shall appear just; otherwise it shall be ordered to stand  
13 affirmed against such permit holder.

1 SEC. 25. Any vehicle which, including load, exceeds the length of  
2 sixty-five (65) feet shall carry a warning device visible to a motorist  
3 approaching from the rear for a distance of at least five hundred (500)  
4 feet.

1 SEC. 26. Use of the national system of interstate and defense high-  
2 ways under the provisions of this Act shall be restricted by regulation  
3 and other appropriate action of the Iowa state highway commission in  
4 such a manner as to not be in conflict with the applicable provisions of  
5 Section 127, Title 23, United States Code.

Approved June 30, 1967.

## CHAPTER 286

### MOTOR VEHICLE DEALERS' BONDS

S. F. 789

AN ACT relating to requiring a bond of motor vehicle dealers engaged in the sale of vehicles for which a certificate of title is required.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Subsection seven (7) of Section three hundred twenty-  
2 two point four (322.4), Code 1966, is hereby amended by adding the  
3 following:

4 "Before the issuance of a motor vehicle dealer's license to a dealer  
5 engaged in the sale of vehicles for which a Certificate of Title is re-  
6 quired, under the provisions of Chapter three hundred twenty-one  
7 (321), the applicant for such license shall furnish a surety bond exe-  
8 cuted by the applicant as principal and executed by a corporate surety  
9 company, licensed and qualified to do business within this state, which  
10 bond shall run to the state of Iowa, be in the amount of ten thousand  
11 dollars and be conditioned upon the faithful compliance by said appli-